



CASE HL/95-22634/CIP

THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
WOLFGANG STAMPFER ET AL
APPLICATION NO: 10/666,205
FILED: SEPTEMBER 18, 2003
FOR: ALCOHOL DEHYDROGENASES WITH
INCREASED SOLVENT AND
TEMPERATURE STABILITY

Group Art Unit: 1652
Examiner: Pak, Y. D.
Confirmation No: 8858

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER RULE 132

Wolfgang Kroutil, the undersigned, states:

That I received a Diploma in Technical Chemistry from the University of Technology/Graz, Austria in June 1995;

That I received a Ph.D. in Chemistry from the University of Technology/Graz, Austria on June 5, 1998;

That I have been employed by the Karl Franzens University since June 2000;

That I have approximately 11 years of chemical/biological research and development experience; that from June 1998 to September 1999 I have worked in the Research and Development laboratories of Novartis Crop Protection AG/Basel; that from October 1999 to May 2000 I have worked in the Research and Development laboratories of Novartis Crop Protection AG/Basel;

That I invented the subject matter disclosed in Angewandte Chemie International Edition, 2002, Volume 41, Issue 6, pages 1014-1017 pertaining to the preparative scale biocatalytic oxidation of secondary alcohols employing whole cells of Rhodococcus ruber DSM 44541 as the biocatalyst and acetone as a cosolvent; and

That the inventorship of the instant application is correct.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Griz, 16.8.06

Wolfgang Kroutil

Wolfgang Kroutil

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Ich Christian Moitzi, geboren am 25. September 1976, Co-Autor der Publikation 'Biocatalytic Asymmetric Hydrogen Transfer' [Angew. Chem. Int. Ed. Engl. 41, 1014-1017 (2002) bzw. Angew. Chem. 114, 1056-1059 (2002)] erkläre hiermit nicht an der Erfindung welche zu den Patenten 'Alcohol Dehydrogenases with high solvent and temperature stability' WO 03/078615 A1 und WO 05/026338 führte beteiligt gewesen zu sein.

Ich war in der Zeit vom 5.2. bis zum 23.2.2001 und vom 20.8. bis zum 22.9.2001 unter der Anleitung von Wolfgang Stampfer mit folgenden Tätigkeiten beschäftigt:

Anzucht der bekannten Stämme Rhodococcus ruber DSM 44541, DSM 44540 und DSM 44539 sowie NCIMB 11216 und Lyophilisation der Zellen.

Umsetzung von käuflich erhältlichem Ketonen (Acetophenon, 2-octanon, 2-nonenone) mit den oben beschriebenen Mikroorganismen.

Identifizierung der Produkte mit GC durch Vergleich mit Referenzverbindungen.

Graz am 28. Juli 2005,
Christian Moitzi



[German letter]

Job No.: 389-120830

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Translated from German by the McElroy Translation Company
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I, Christian Moitzi, born on September 25, 1976, co-author of the publication "Biocatalytic Asymmetric Hydrogen Transfer" (Angew. Chem. Int. Ed. Engl. 41, 1014-1017(2002) or Angew. Chem. 114, 1056-1059 (2002)), herewith declares not having participated in the invention that led to the patents, "Alcohol Dehydrogenases with High Solvent and Temperature Stability" WO 03/078615 A1 and WO 05/026338.

During the period from February 5-23, 2001 and from August 20 to September 22, 2001, I was engaged in the following activities under the direction of Wolfgang Stampfer:

Culturing of the known strains of *Rhodococcus ruber* DSM 44541, DSM 44540 and DSM 44539, as well as NCIMB 11216 and lyophilisation of the cells.

Conversion of commercially available ketones (acetophenone, 2-octanone, 2-nonenone) with the microorganisms described above.

Identification of the products with GC by comparison with reference compounds.

Graz, July 28, 2005

Christian Moitzi

[Signature]